

### **REMARKS**

Claims 1, 2, 4, 9, 10 and 11 have been amended to improve the clarity of the claimed subject matter and to bring the claims into conformity with U.S. practice and format, and to place the application fully in condition for allowance. All of the amendments are fully supported by the original disclosure of this application and therefore do not constitute the introduction of any new matter into this case. The original Abstract has been amended to provide a more concise summary of the disclosure in accordance with U.S. practice format.

Claims 1, 4 and 9-11 are objected to due to informalities. Accordingly, the claims have been amended in substantial accord with the Examiner's suggestions. Applicant thanks the Examiner for the detailed correction of the claims.

Claims 1-11 remain pending upon entry of the amendments to the claims above.

### **Allowable Subject Matter**

Applicant thanks the Examiner for indicating that claims 5-7 and 10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully believes that independent claim 1, from which the allowable claims invariably depend from, overcomes the prior art, and therefore rewriting claims 5-7 and 10 in independent form at the present time is believed to be premature.

### **Claim Rejections under 35 U.S.C. § 103**

Claims 1-4 are rejected under 35 U.S.C. § 103 as being unpatentable over Applicant's Admitted Prior Art (hereinafter APA) in view of U.S. 2,904,985 (Murphy) and Austrian document 154804 (Austrian '804). Claims 1 and 9 are rejected under 35 U.S.C. § 103 as being unpatentable over APA as modified by Murphy, and in further

view of U.S. 4,224,813 (Hampton '813). Claim 8 is rejected under 35 U.S.C. § 103 as being unpatentable over APA as modified by Murphy and either Austrian '804 or Hampton '813, and in further view of U.S. 4,218,902 (Druschel). Claim 11 is rejected under 35 U.S.C. § 103 as being unpatentable over APA as modified by Murphy and either Austrian '804 or Hampton '813, and in further view of U.S. 5,921,115 (Winner). Applicant respectfully traverses the rejections under 35 U.S.C. § 103. Independent claim 1, from which all other claims depend from invariably, as amended, is believed to overcome the prior art.

Applicant most respectfully wishes to direct the Examiner's attention to the basic requirements of a prima facie case of obviousness as set forth in the MPEP. MPEP § 2131 states that to establish a prima facie case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the prior art references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the teachings of the reference. Second, there must be a reasonable expectation of success for the modification. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Further, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

MPEP § 2143.03 states that all claimed limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art". *In re Wilson* 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *In re Fine* 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Applicant also most respectfully directs the Examiner's attention to MPEP §

2144.08 which states that Office Personnel should consider all rebuttal argument and evidence presented by the Applicant. *In re Soni*, 54 F.3d 746, 750, 34 USPQ2d 1684, 1687 (Fed. Cir. 1995) (error not to consider evidence presented in the specification).

Applicant respectfully submits that the modification of APA according to Murphy, Austrian '804 and/or Hampton '813 will not result in the claimed invention, as claimed in independent claim 1, as presently amended. Applicant is in agreement that the enlargements 40 of APA device (Fig. 1) is ineffective in sealing the holes 320 on the cover 32. The Examiner seeks to somehow add the equated sleeves 8 of Austrian '804 in order to provide a seal for the holes 320 of the device of APA. The Examiner will note that the equated sleeves 8 of Austrian '804 act as a seal in which opposing molded surfaces 6 fit thereover laterally, hence the sleeves 8 of Austrian '804 are not subject to upward and downward movement of the bent link 11, unlike the claimed invention. Thus, the manner in which the sleeves are positioned in the device of Austrian '804 being sleeved in position by two end covers 4, 5 is entirely different from that of the claimed structure.

With regard to the reference to Hampton, the equated sleeves 32 consist of O-ring seals 32 (col. 3, lines 43-51) that do not correspond to the configuration of the claimed invention, in which the sleeves are secured between the cover (62) and the top connecting member (60), as illustrated in Fig. 3 of the application.

It is respectfully believed that further modification of the remaining cited references will not result in all of the claimed elements of independent claim 1, as presently amended.

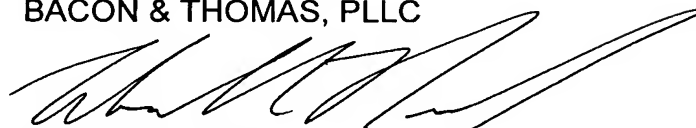
In view of the amendments to the claims and the remarks above, withdrawal of this rejection is respectfully requested.

In summary, it is respectfully submitted that none of the prior art individually or collectively shows the invention as claimed. Accordingly, withdrawal of the rejection of the claims appears to be warranted and the same is respectfully requested. In the

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event there are any outstanding matters remaining in the present application which can be resolved by a telephone call or facsimile communication to Applicant's Attorney, the Examiner is invited to contact the undersigned by telephone or facsimile at the numbers provided below.

Respectfully submitted,  
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